

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JERVIS B. WEBB COMPANY,

Plaintiff,

v.

CASE NO. 07-10571
HON. LAWRENCE P. ZATKOFF
MAG. VIRGINIA M. MORGAN

THE KENNEDY GROUP, a/k/a
KENNEDY AUTOMATION LIMITED,

Defendant,

and

THE KENNEDY GROUP, a/k/a
KENNEDY AUTOMATION LIMITED,

Counter-Plaintiff,

v.

JERVIS B. WEBB COMPANY and SAFECO
INSURANCE COMPANY OF AMERICA,

Counter-Defendants.

_____ /

ORDER

This matter comes before the Court on Plaintiff / Counter-Defendants' Motion to Dismiss Counterclaims or to Add True Party in Interest [dkt 63] and Motion for Summary Judgment Awarding Offset [dkt 64]. These Motions were filed on June 25, 2008, and July 16, 2008, respectively. The dispositive motion cut-off date in this matter, however, was February 19, 2008. Accordingly, Plaintiff / Counter-Defendants' Motions are untimely. Therefore,

IT IS ORDERED that Plaintiff / Counter-Defendants' Motion to Dismiss Counterclaims or

to Add True Party in Interest [dkt 63] is DENIED.

IT IS FURTHER ORDERED that Plaintiff / Counter-Defendants' Motion for Summary Judgment Awarding Offset [dkt 64] is DENIED.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: August 5, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on August 5, 2008.

S/Marie E. Verlinde
Case Manager
(810) 984-3290